

**IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

INVENTION SUBMISSION  
CORPORATION, d/b/a INVENTHELP, and  
ROBERT J. SUSA, an adult individual,

Plaintiffs,

v.

TAYLOR MACK ENTERPRISES, INC., and  
ZULAN BERRY, an individual,

Defendants.

Case No. 2:21-cv-00015

JURY TRIAL DEMANDED

**DEFENDANTS' RESPONSE TO PLAINTIFFS' MOTION TO FILE UNDER SEAL**

NOW COME Defendants, Taylor Mack Enterprises, Inc. and Zulan Berry (collectively "Defendants"), by and through attorney, Prabhu Narahari, Esq., of Manes & Narahari LLC, to file this response to the Motion to Seal made by Plaintiffs, Invention Submission Corporation, d/b/a InventHelp, and Robert Susa (collectively "Plaintiffs"). Plaintiffs made this motion for the purpose of filing a Complaint against Defendants, including Exhibit B, as well as Plaintiffs' Brief in Support of Motion for Preliminary Injunction, under seal pursuant to Local Rule of Civil Procedure 5.2(H).

Defendants do not specifically contest Plaintiffs' request to seal the Complaint, Exhibit B, and Brief in Support of Motion for Preliminary Injunction; however, Defendants do categorically

deny that the prospectively sealed and redacted charges and data constitute protected information in the form of trade secrets. As such, Defendants request that this Court, in considering Plaintiffs' request to seal the documents, take notice of Defendants' position with regard to this matter.

Plaintiffs have a "heavy burden of showing" that the aforementioned filings should be protected by the Court. Mine Safety Appliances Co. v. N. River Ins. Co., 73 F.Supp. 3d 544, 560 (W.D. Pa 2014). In considering the request, the Court may take note of Defendants' position that the information is not, in fact, protected trade secrets. See H.J. Heinz Co. v. Boulder Brands USA, Inc., CV 15-681, 2016 WL 10520929 (W.D. Pa. Sept. 23, 2016). For example, in 2016, this Court considered a motion to seal several documents made by Defendant Boulder Brands USA, Inc. Id. at \*1. This Court noted Plaintiff Kraft Heinz Food Company's assertion that the information the Defendant sought to protect was "not relevant to the issue at hand" but made "no objection to the filing of the documents under seal." Id. Further, this Court held that, in certain circumstances, "some non-trade secret, confidential business information may also be protected." Id.

As such, and in light of this previous holding, Defendants do not contest the filing of these documents under seal; though, again, Defendants reiterate that they do not concede that the filings, in fact, contain protected trade secrets.

Respectfully Submitted,

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